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REMARKS

Reconsideration and allowance of the above identified patent application is hereby requested. The Examiner has indicated that claims 15-20 are presently in condition for allowance and Applicants thank the Examiner therefore. Claims 1-30 are now in the application. In accordance with the Examiner's recommendation, independent claim 21 has been amended to include "step for" language relating to the limitation for defining a first and second vehicle search group. Therefore, claims 21-26 are believed to be in condition for allowance.

Rejection Under 35 U.S.C. §103(a)

Claims 1-14 and 21-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,812,070 to Tagami et al., in view of U.S. Patent No. 6,240,365 to Bunn, in further view of U.S. Patent No. 5,726,885 to Klein et al, and in further view of Official Notice.

Independent claim 1 includes a limitation calling for: a computer system coupled for communication with said plurality of user interface terminals and programmed for: (a) in response to a user request received at a first port, defining a first vehicle search group (VSG) of the first port; (b) in response to at least one vehicle in the first VSG, allocating a vehicle therefrom to the user request; (c) in response to no vehicle in the first VSG, defining a second VSG of a second port; (d) in response to at least one vehicle in the second VSG, selecting a vehicle therefrom for allocating to the user request; and (e) in response to selecting a vehicle from the second VSG, generating a relocation request of the selected vehicle from the second port to the first port.

The Office asserts that Tagami discloses a shared vehicle rental system incorporating multiple vehicle groups (VSG's). The Office further asserts "that the term 'vehicle search group VSG' is merely defined as the set of vehicles that may be allocated to a user (specification page 6, line 6) and [the Examiner] has, hence, interpreted the term to be functionally equivalent to the parked available motor vehicles disclosed by Tagami." However, Tagami (Col. 5, lines 20-22) teaches "As shown in FIGS. 4 and 5, the main parking port MP has a storage area 41, a charging area 43, a renting area 47, and a returning area 50." Tagami (Col. 5, lines 39-54) also teaches "FIG. 6 shows a management algorithm for renting a motor vehicle C from the main parking port

MP. A registered user who wants to rent a motor vehicle C inserts his own IC card into a card slot.... If the compared pieces of registration information agree with each other, then the computer 60 selects one of the available motor vehicles C parked in the storage area 41...." Tagami (Col. 8, lines 12-16) further teaches "In the shared vehicle rental system, users are divided into groups depending on the usage time zone or the direction in which they move with respect to the main parking port, i.e., whether they rent or return motor vehicles, and are registered in the groups." Therefore, Tagami only discloses using a single port (main parking port) and thus a single vehicle group. In Tagami, it is the users who are divided and registered in the multiple groups, not the vehicles. For this reason, Tagami does not disclose or suggest defining a second vehicle search group comprising vehicles of a second port if a vehicle is not available at the first port. This is reinforced by the limitation in claim 1 that the ports to be at "geographically remote locations relative to each other." Further, Tagami does not disclose or suggest selecting a vehicle from the second vehicle search group and allocating that vehicle to the user, and then generating a relocation request to have the selected vehicle relocated from the second port to the first port.

Additionally, neither Bunn nor Klein disclose or suggest defining a second vehicle search group comprising vehicles of a second port if a vehicle is not available at the first port, selecting a vehicle from the second vehicle search group and allocating that vehicle to the user, and generating a relocation request to have the selected vehicle relocated from the second port to the first port. As such, independent claim 1 is believed to be in condition for allowance.

Claims 2-7 depend from claim 1. Therefore, dependent claims 2-7 are believed allowable based upon claim 1.

As with claim 1, independent claim 8 calls for executing a vehicle allocation program at the central computer to perform: (a) defining a first vehicle search group (VSG) for the first port and a second VSG for a second port; (b) allocating to the request a vehicle from the first VSG in response to a suitable vehicle present in the first VSG; (c) allocating to the request a vehicle from the second VSG in response to no suitable vehicle present in the first VSG; and (d) generating a command for relocating the allocated vehicle from the second port to the first port in response to

allocating a vehicle from the second VSG. As discussed above, Tagami, Bunn and Klein fail to disclose or suggest defining a second vehicle search group comprising vehicles of a second port, allocating a vehicle from the second vehicle search group if no suitable vehicles are present in the first vehicle search group, and generating a relocation command to have the allocated vehicle relocated from the second port to the first port. As such, independent claim 8 is believed to be in condition for allowance.

Claims 9-14 depend from claim 8. Therefore, dependent claims 9-14 are believed allowable based upon claim 8.

Similar to claim 1, independent claim 27 calls for a computer system coupled for communication with said plurality of user interface terminals and programmed for: (a) in response to a user request at a first port, defining a first vehicle search group (VSG) of the first port; (b) in response to at least one vehicle in the first VSG, allocating a vehicle therefrom to the user request; (c) in response to no vehicle in the first VSG, defining a second VSG of a second port; (d) in response to at least one vehicle in the second VSG, selecting a vehicle therefrom for allocating to the user request; and (e) in response to selecting a vehicle from the second VSG, generating a relocation request of the selected vehicle from the second port to the first port.

As discussed above, Tagami, Bunn and Klein fail to disclose or suggest defining a second vehicle search group comprising vehicles of a second port, allocating a vehicle from the second vehicle search group to a user request if no vehicles are present in the first vehicle search group, and generating a relocation request to have the selected vehicle relocated from the second port to the first port. As such, independent claim 27 is believed to be in condition for allowance.

Claim 28 depends from claim 27. Therefore, dependent claim 28 is believed allowable based upon claim 27.

As with claims 1 and 27, independent claim 29 calls for a computer system coupled for communication with said plurality of user interface terminals and programmed for: (a) in response to a user request received at a first port, defining a first vehicle search group (VSG) of the first port; (b) in response to at least one vehicle in the first VSG, allocating a vehicle therefrom to the user request; (c) in response to no vehicle in the first VSG, defining a second

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<u>VSG of a second port</u>; (d) in response to at least one vehicle in the second VSG, selecting a vehicle therefrom for allocating to the user request; and (e) in response to selecting a vehicle from the second VSG, generating a <u>relocation request</u> of the selected vehicle from the <u>second port to the first port</u>.

As discussed above, Tagami, Bunn and Klein fail to disclose or suggest defining a second vehicle search group comprising vehicles of a second port, allocating a vehicle from the second vehicle search group to a user request if no vehicles are present in the first vehicle search group, and generating a relocation request to have the selected vehicle relocated from the second port to the first port. As such, independent claim 29 is believed to be in condition for allowance.

Claim 30 depends from claim 29. Therefore, dependent claim 30 is believed allowable based upon claim 29.

The Examiner also notes that, with respect to claims 4-6, 11, 12, 25-27 and 29, "Official Notice is taken that the use of tow bars, hitch receptacles, and bike carriers, is <u>very well known</u> in the art and has long been practiced by rental car companies as a method for <u>relocating vehicles using a single driver</u>." Applicants are unaware of any prior art that discloses the use of tow bars, hitch receptacles or bike carriers in combination with a vehicle sharing system, and assert that such facts are not common knowledge in the art. Applicants are presently only aware of U.S. Patent Nos. 6,253,980 and 6,636,145, issued to common inventors and assigned to common assignees, that make reference to such a combination. Therefore, Applicants respectfully request that the Official Notice be withdrawn.

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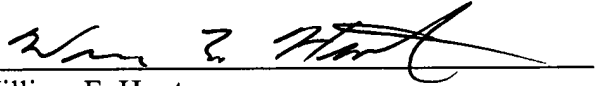Filed : July 7, 1999
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Please charge $420.00 for the two month extension fee and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _May 24, 2004_

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